

ENTERED

March 29, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JARVIS M. TILLMAN,
(SPN #02177188)

Plaintiff,

vs.

J. HENDERSON, et al.,

Defendants.

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CIVIL ACTION H-19-0471

MEMORANDUM ON DISMISSAL

The plaintiff, an inmate of the Harris County Jail, filed this action under 42 U.S.C. § 1983 for civil rights violations. On February 14, 2019, the Clerk of Court entered a Notice of Deficient Pleading instructing the plaintiff to pay the filing fee or file an application to proceed as a pauper with certified inmate account information. (Docket Entry No. 4).

On February 25, 2019, this Court denied the plaintiff's first application to proceed as a pauper without prejudice to reconsideration after compliance with the Notice of Deficient Pleading. (Docket Entry No. 5). The plaintiff complied with the Notice of Deficient Pleading by submitting certified inmate account information, and on March 15, 2019, this Court entered an Order Regarding Motion to Proceed In Forma Pauperis, in which the plaintiff was ordered to pay the filing fee in monthly installments. The Court also denied the plaintiff's motion to dismiss, (Docket Entry No. 10), without prejudice because the Court wished to ensure that the plaintiff understood that the prior denial of his motion for pauper status was without prejudice. This Court advised the plaintiff that

if he still did not wish to litigate this action, he could complete the attached motion for voluntary dismissal.

The plaintiff completed and signed the Motion for Voluntary Dismissal, (Docket Entry No. 13), which was filed on March 22, 2019.

The plaintiff's Motion for Voluntary Dismissal, (Docket Entry No. 13), is GRANTED. This action is DISMISSED without prejudice. Fed. R. Civ. P. 41(a)(2). Any and all remaining pending motions are DENIED as moot. No further withdrawals shall be made from the prison trust fund account of Jarvis M. Tillman, SPN No. 02177188, to collect filing fees in this case.

The Clerk of Court must send a copy of this Order to Thomas Katz, Manager of the Inmate Trust Fund, 1200 Baker Street, Houston, Texas 77002, Fax 713-755-4546.

SIGNED at Houston, Texas, on **MAR 28 2019**.

A handwritten signature in black ink, appearing to be 'AHB' with a checkmark-like flourish at the end.

ALFRED H. BENNETT
UNITED STATES DISTRICT JUDGE